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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

RIMELL, SAMUEL G

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/288,856

Applicant(s)

NAGATSUKA ET AL.

Examiner

Sam Rimell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

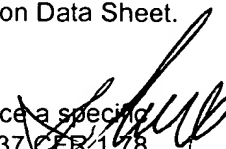
- 4) ☒ Claim(s) 1-3, 7-25 and 42-50 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12, 14-25, 44 and 46-49 is/are allowed.
- 6) ☒ Claim(s) 1-3, 7-11, 13, 42, 43, 45, 50 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 50 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 50: Claim 50, as understood, calls for a classification system that classifies documents that contains data items that "do not relate" the chapters, clauses, paragraphs and sentences of the document. As best as can be understood, the only way that information in a document could not relate to the chapters, clauses, paragraphs and sentences is if the information is not part of the document itself. All of the information within a document can be fairly considered as relating to the sentences contained in that document.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7-11, 13, 42, 43, 45, 50 are rejected under 35 U.S.C. 102(e) as being anticipated by Numata (U.S. Patent 5,943,669).

Claim 1: Reference is made to FIG. 1, and its associated discussion at col. 5, line 42 through col. 6, line 28. Numata discloses inputting means (document storage section 1); designating means (classification unit designation section 2) which designate specific sections of

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a document; converting means (fundamental vector generation section 4) which parses the document into the discrete sections designated by the designating means (2) and generates fundamental vectors, which are the converted data; and classifying means (classification section 8) which classifies the document using the converted data. A display means is provided by the display section (10) and its supporting programming (blocks 12a, 12b, 12c).

Claim 2: Numata discloses a document vector producing means (vector synthesis section 6 and composite vector maintenance section 7) which produces, combines and stores synthesized feature vectors that are used by the classification section in classifying the document.

Claim 3: Col. 5, line 54 states that the converting means (4) partitions the documents by means of the classification units. FIG. 12 illustrates the inclusion of symbols, such as "title", "head" and "body" which illustrate the partitioned sections.

Claim 7: See remarks for claim 1.

Claim 8: See remarks for claim 2.

Claim 9: See remarks for claim 3.

Claim 10: FIG. 1 of Numata discloses input means (1) for inputting a document, analysis means (3) for analyzing the content of a document; vector producing means (4, 5) for generating two types of document vectors; transforming function calculating means (equation 18 shown at col. 25, line 67), vector transforming means (6), classification means (8) for classifying the document and classification result storing means (9). Note that the transforming function calculating means (equation 18 at col. 25, line 67) will produce a dimensional number (T) that is different from the dimensional numbers (F, G and H) that represent vectors input into the equation.

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Claim 11: Any of the formulas (18) or (19) illustrated in col. 25, line 67 through col. 26, line 11 read as the inner product calculating means. Without detail on what formula is actually used to perform the calculation, any mathematical formula utilizing the feature vectors would read on this phrase.

Claim 13: Numata discloses vector storing means (7). The transforming function is part of the computer program that classifies the document. Thus, whichever system is storing the computer program is also storing the transforming function.

Claim 42: See remarks for claim 10.

Claim 43: See remarks for claim 11.

Claim 45: See remarks for claim 13.

Claim 50: See remarks for claim 1. Claim 50 only differs from claim 1 in its recitation of "items which are irrespective of chapters, clauses, sentences and paragraphs of the document.." This recitation has been indicated as being new matter, and has not been considered.

Claims 12, 14-25, 44 and 46-49 are allowable over the prior art of record.

Remarks

Applicant's arguments and amendments have been considered.

The amendment to claim 50 has overcome the previously applied rejection under 35 USC 10 and 35 USC 112, first paragraph, but raises a new grounds of rejection under 35 USC 112, second paragraph.

With respect to Numata, applicant argues that Numata lacks a designating means. Examiner maintains that the designation section 2 in FIG. 1 is clearly a designating means, as it

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performs a function of designation, which is all the claim requires for the claimed designating means.

Applicant also argues for the features of claim 10, arguing that the Numata lacks a transforming function that produces a dimensional number different from the numbers associated with document feature vectors. Examiner maintains that the formula in equation 18 produces a composite vector T that is different from the vectors associated with document content, F, G, H and I. Since T is the summation of F, G, H, and I, it will have a different value than each of these individual vector values.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.



Sam Rimell
Primary Examiner
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